

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

OKSANA CLEM,

Plaintiff,

v.

BARNEYS NEW YORK, INC.,

Defendant.

No. C 11-3952 CW

ORDER GRANTING  
PLAINTIFF'S  
COUNSEL'S REQUEST  
TO WITHDRAW,  
Docket No. 38.

On June 14, 2012, Plaintiff's counsel, Alden Knishbacher, filed a notice of substitution, seeking to withdraw as counsel in this action and have Plaintiff represent herself. In response, the Court issued an order stating that it would not allow the substitution of Plaintiff in pro per until after she and her counsel have attempted in good faith to mediate the case.

The parties have since engaged in mediation, as indicated by the mediator's certification filed on July 24, 2012. Plaintiff's counsel then filed a second notice of substitution of counsel. Docket No. 38. Counsel's request to withdraw is granted. If Plaintiff wishes to pursue this litigation, she will have to retain new counsel or represent herself in pro per.

The parties are scheduled to appear for a case management conference on August 29, 2012 at 2:00 pm. The parties shall submit separate case management statements on or before August 22, 2012. The requirements for the case management statements are described in the Standing Order for All Judges of the Northern District of California. In the event that Plaintiff fails to file

1 a statement or does not appear at the conference in person or  
2 through counsel, her claims will be dismissed for failure to  
3 prosecute.

4 IT IS SO ORDERED.

5  
6 Dated: 7/31/2012

  
CLAUDIA WILKEN  
United States District Judge

United States District Court  
For the Northern District of California